

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-36 are pending in the present application. No claims are amended by the present amendment, thus, no new matter is added.

In the outstanding Office Action, Claims 1, 2, 7, 8, 13-18, 29-31 and 33-35 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilson et al. (U.S. Pat. No. 5,467,170, herein "Wilson") in view of Kanematu (U.S. Pat. No. 7,130,066); and Claims 3-6, 9-12, 19-28, 32 and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilson and Kanematu in view of Kimoto et al. (U.S. Pat. No. 5,390,005, herein "Kimoto").

Addressing now the rejection of Claims 1, 2, 7, 8, 13-18, 29-31 and 33-35 were rejected under 35 U.S.C. §103(a) as unpatentable over Wilson and Kanematu, this rejection is respectfully traversed.

As discussed with Examiner Luu on September 14, 2007, the Kanematu reference has a filing date that is after the effective filing date of the present Application. Specifically, Kanematu has a filing date of September 2, 1999; in contrast, the present application has an effective filing date of December 24, 1998.

Thus, Applicants note that under no provision of 35 U.S.C. §102 or §103 is the Kanematu reference available to be used to reject the present application.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 2, 7, 8, 13-18, 29-31 and 33-35 under Wilson and Kanematu as well as the rejection of Claims 3-6, 9-12, 19-28, 32 and 36 under Wilson, Kanematu and Kimoto, be withdrawn as the rejection under §103(a) is improper.

In addition, as Applicants have not substantively amended the claims in response to any rejection of record, should a further rejection be applied in the next Action based upon

newly cited prior art, Applicants submit that such an action **cannot properly be considered a Final Office Action.**

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

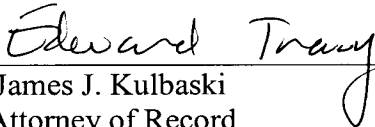
Respectfully submitted,

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